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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/187,551	11/05/1998	KATSUYUKI MUSAKA	AM524R1/T289	3205

7590 04/10/2002

PATENT COUNSEL, M/S 2061
LEGAL AFFAIRS DEPARTMENT
APPLIED MATERIALS, INC.
P.O. BOX 450A
SANTA CLARA, CA 95052

EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 04/10/2002

28

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

28

DATE MAILED:

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Commissioner of Patents and Trademarks

See attached.

Art Unit 1762

The notice of appeal filed on 1/24/02 is defective because applicants have not included the rejection under 37 CFR 1.175(b)(1) as an issue. It is listed under status, but not as an issue to be decided. Note that the original oath, only applies to changes made upon filing and not to those amendments made during prosecution. This is why the supplemental is required, and the claims must remain this rejection until one is filed, however filing the supplemental will remove the rejection for purposes of the appeal, so that it will no longer be an issue. Alternately, appellants need to formally recognize and argue this issue.

Applicants may wish also to revise their related appeals statement, as applicants' copending case 08/888,499 which is also a continuation from this case's ultimate parent 08/184,331, is under appeal at the Board, as well as being related via terminal disclaimer.

Applicant is given a time limit of ONE MONTH from the date of this letter or until the expiration of the period for response set in the last Office action, whichever is longer, within which to make the necessary correction to avoid dismissal of the appeal. NO EXTENSION OF THE ONE MONTH TIME LIMIT MAY BE GRANTED UNDER EITHER 37 CFR 1.136(a) or (b), but the period for response set in the last Office action may be extended to a maximum of SIX MONTHS provided the requisite fees are paid.

Serial No. 09/187,551

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Art Unit 1762

Any inquiry concerning this communication should be directed to M. L. Padgett from Monday through Friday from about 8 A.M. to 4:30 P.M. at telephone number (703) 308-2336 and FAX #703 305-5408 (official), 872-9311 (official after final) and 305-6078 (unofficial).

MLPadgett:cdc

April 8, 2002

April 5, 2002



MARIANNE PADGETT
PRIMARY EXAMINER
GROUP 1700

**SUPPLEMENTAL DECLARATION
FOR REISSUE
PATENT APPLICATION
(37 CFR 1.175)**

Attorney Docket Number	
First Named Inventor	
COMPLETE	
Application Number	/
Filing Date	
Group Art Unit	
Examiner Name	

I/We hereby declare that:

Every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on the part of the applicant.

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:	<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname				
Inventor's Signature					Date	
Residence: City		State		Country	Citizenship	
Post Office Address						
Post Office Address						
City		State		ZIP		Country
Name of Second Inventor:	<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname				
Inventor's Signature					Date	
Residence: City		State		Country	Citizenship	
Post Office Address						
Post Office Address						
City		State		ZIP		Country

Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.